PR4.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/754,155	01/04/2001	Frank L. Weil	P5410	3195

25235 7590 12/03/2002

HOGAN & HARTSON LLP
ONE TABOR CENTER, SUITE 1500
1200 SEVENTEENTH ST
DENVER, CO 80202

EXAMINER
CHEN, CHONGSHAN

ART UNIT	PAPER NUMBER
2172	

DATE MAILED: 12/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PPG

Office Action Summary	Application No.	Applicant(s)	
	09/754,155	WEIL ET AL.	
	Examiner	Art Unit	
	Chongshan Chen	2172	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-21 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-21 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 9.
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-2 and 4-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Chidlovskii et al. ["Chidlovskii", US Patent, 6,327,590].

Regarding to claim 1, Chidlovskii discloses a method for controlling access provided to a client to content files during an information search based on a client search profile, comprising:

receiving a search request from a client; creating a modified search request by applying a search profile for the client to the received search request; and routing the modified search request to a search engine having a search engine collections populated from the content files (Chidlovskii, Fig. 2, col. 4, lines 19-25).

Regarding to claim 2, Chidlovskii teaches all the claimed subject matters as discussed in claim 1, and further discloses generating the search profile based on stored information pertaining to the client (Chidlovskii, col. 3, lines 16-18).

Regarding to claim 4, Chidlovskii teaches all the claimed subject matters as discussed in claim 1, and further discloses in response to routing the modified search request, receiving a set of search results in a format defined by the search engine and including standardizing the set of search results (Chidlovskii, col. 2, lines 49-60).

Regarding to claim 5, Chidlovskii teaches all the claimed subject matters as discussed in claim 4, and further discloses the standardized set of search results for transmittal to the client (Chidlovskii, col. 2, lines 58-60).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chidlovskii et al. ["Chidlovskii", US Patent, 6,327,590] in view of Lyengar et al. [US Patent, 6,360,205].

Regarding to claim 3, Chidlovskii teaches all the claimed subject matters as discussed in claim 2, except for explicitly disclosing access the stored client information using login information for the client, the login information being collected prior to the receiving of the search request. Lyengar discloses access the stored client information using login information

for the client, the login information being collected prior to the receiving of the search request (Lyengar, col. 9, lines 17-19). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the methods of Chidlovskii and Lyengar in order to collect client information.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chidlovskii et al. ["Chidlovskii", US Patent, 6,327,590] in view of Judd et al. ["Judd", US Patent, 6,360,215].

Regarding to claim 6, Chidlovskii teaches all the claimed subject matters as discussed in claim 1, except for explicitly disclosing prior to the receiving of the search request, intercepting an indexing request from the search engine for a set of information from the content for the search engine collections and in response, returning to the search engine a modified form of the requested set of information. Judd discloses intercepting an indexing request from the search engine for a set of information from the content for the search engine collections and in response, returning to the search engine a modified form of the requested set of information (Judd, Fig. 1). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the methods of Chidlovskii and Judd in order to indexing the database.

6. Claims 7-9 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perkins [US Patent, 6,253,198] in view of Christensen et al. ["Christensen", US Patent, 6,055,543].

Regarding to claim 7, Perkins discloses a method for restricting direct access to content files by a search engine and a client during an information search initiated by the client and performed by the search engine, comprising:

positioning a search engine interface between the client and the search engine, wherein the search engine interface is also positioned between the search engine and the content files (Perkins, col. 1, lines 59-61, col. 6, lines 1-3);

receiving with the search engine interface an indexing request from the search engine for a set of information from the content files; operating the search engine interface to retrieve the set of information from the content files; passing the set of information to the search engine for use in populating a search engine collections (Perkins, col. 10, lines 27-67);

receiving at the search engine interface a search request from the client (Perkins, col. 1, lines 54-57); and

routing the search request to the search engine for use in searching the search engine collections (Perkins, col. 1, lines 59-61).

Perkins does not explicitly disclosing modifying the set of information with the search engine interface. Christensen discloses modifying the set of information with the search engine interface (Christensen, col. 6, lines 49-50). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the method of Perkins with the method of Christensen in order to modify and update the database.

Regarding to claim 8, Perkins and Christensen teach all the claimed subject matters as discussed in claim 7, and further discloses the modifying includes removing meta tags from at least a portion of the set of information (Christensen, col. 6, lines 49-50).

Regarding to claim 9, Perkins and Christensen teach all the claimed subject matters as discussed in claim 7, and further discloses the modifying includes adding additional information to the set of information (Christensen, col. 6, lines 49-50).

Regarding to claim 13, Perkins and Christensen teach all the claimed subject matters as discussed in claim 7, further discloses the positioning includes constructing an instance of the search engine interface that is configured for communicating with the search engine (Perkins, col. 1, lines 54-61).

7. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Perkins [US Patent, 6,253,198] in view of Christensen et al. ["Christensen", US Patent, 6,055,543] and further in view of Bessette [US Patent, 6,263,330].

Regarding to claim 10, Perkins and Christensen teach all the claimed subject matters as discussed in claim 7, except for explicitly disclosing the received search request includes a client search profile defining select collections in the search engine collections for applying the search request. Bessette discloses the received search request includes a client search profile defining select collections in the search engine collections for applying the search request (Bessette, col. 11, lines 32-37). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the methods of Perkins, Christensen, and Bessette in order to control client searches.

8. Claims 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perkins [US Patent, 6,253,198] in view of Christensen et al. ["Christensen", US Patent, 6,055,543] further in view of Chidlovskii et al. ["Chidlovskii", US Patent, 6,327,590].

Regarding to claim 11, Perkins and Christensen teach all the claimed subject matters as discussed in claim 7, except for explicitly disclosing prior to the routing, modifying the search request by operating the search engine interface to add a client search profile to the received search request to identify select ones of the search engine collections for applying the search

request. Chidlovskii discloses modifying the search request by operating the search engine interface to add a client search profile to the received search request to identify select ones of the search engine collections for applying the search request (Chidlovskii, col. 4, lines 19-24). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the methods of Perkins, Christensen, and Chidlovskii in order to modify the search request.

Regarding to claim 12, Perkins, Christensen, and Chidlovskii teach all the claimed subject matters as discussed in claim 11, and further discloses the modifying includes generating the client search profile including retrieving with the search engine interface user information for the client (Chidlovskii, col. 3, lines 16-18).

9. Claims 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nusbickel et al. ["Nusbickel", US Patent, 6,119,133] in view of Bessette [US Patent, 6,263,330].

Regarding to claim 14, Nusbickel discloses a Web server for controlling access to content files during a network-based information search initiated by a remote client, the Web server being communicatively linked to a search engine with search engine collections and the content files, comprising:

a Web server application in communication with a data communications network configured for communicating with the communications network and for receiving a search request from the remote client (Nusbickel, col. 4, lines 10-16).

Nusbickel does not explicitly disclose a search engine interface adapted for processing the search request to add a client search profile to the search request to define select collections in the search engine collections for applying the search request and for routing the processed

search request to the search engine. Bessette discloses processing the search request to add a client search profile to the search request to define select collections in the search engine collections for applying the search request and for routing the processed search request to the search engine (Bessette, col. 11, lines 32-37). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the method of Nusbickel with the method of Bessette in order to control client searches.

Regarding to claim 15, Nusbickel and Bessette teach all the claimed subject matters as discussed in claim 14, and further discloses the Web server is a HTTP Web server configured to support Java and the search engine interface comprises a Java API (Nusbickel, col. 3, lines 59-62).

Regarding to claim 16, Nusbickel and Bessette teach all the claimed subject matters as discussed in claim 14, and further discloses the search engine interface is further adapted parsing a set of search results returned by the search engine in response to the routed search request to generate a standardized set of search results (Nusbickel, col. 4, lines 10-16).

Regarding to claim 17, Nusbickel and Bessette teach all the claimed subject matters as discussed in claim 16, and further discloses a page generator for generating a results page including the standardized set of search results, and wherein the Web server application is adapted for transmitting the results page over the communications network to the client (Nusbickel, col. 4, lines 10-16).

10. Claims 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chidlovskii et al. ["Chidlovskii", US Patent, 6,327,590] in view of Bessette [US Patent, 6,263,330].

Regarding to claim 18, Chidlovskii discloses a computer program for controlling access to content files during an information search initiated by a client and performed by a search engine, comprising:

receive a search request from the client (Chidlovskii, col.3, line 1);

create a modified search request by applying a search profile for the client to the received search request (Chidlovskii, col. 3, lines 1-2); and

route the modified search request to the search engine, the search engine being communicatively linked to a search engine collections populated with a set of information from the content files (Chidlovskii, col. 3, lines 3-5).

Chidlovskii does not explicitly disclose wherein the search profile defines select ones of the search engine collections for applying the modified search request during the information search. Bessette discloses wherein the search profile defines select ones of the search engine collections for applying the modified search request during the information search (Bessette, col. 11, lines 32-37). Also, Chidlovskii and Bessette do not explicitly disclose computer code devices carry out all these searching steps. However, it is obvious to one of ordinary skill in the art that all these searching steps are carried out by computer code devices. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the method of Chidlovskii with the method of Bessette in order to control client searches.

Regarding to claim 19, Chidlovskii and Bessette teach all the claimed subject matters as discussed in claim 18, and further discloses generate the search profile based on client information (Chidlovskii, col. 3, lines 16-18).

Regarding to claim 20, Chidlovskii and Bessette teach all the claimed subject matters as discussed in claim 18, and further discloses receiving a set of search results from the search engine and to parse the set of search results into a standardized set of search results for inclusion in a results page (Chidlovskii, col. 3, lines 3-6).

11. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chidlovskii et al. ["Chidlovskii", US Patent, 6,327,590] in view of Bessette [US Patent, 6,263,330] and further in view of Perkins [US Patent, 6,253,198].

Regarding to claim 21, Chidlovskii and Bessette teach all the claimed subject matters as discussed in claim 20, except for explicitly disclosing intercept an indexing request from the search engine for information from the content files and to generate a restricted populating set of information by modifying results of the indexing request, wherein the search engine uses the restricted populating set to populate the search engine collections. Perkins discloses intercepting an indexing request from the search engine for information from the content files and to generate a restricted populating set of information by modifying results of the indexing request, wherein the search engine uses the restricted populating set to populate the search engine collections (Perkins, col. 10, lines 27-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the methods Chidlovskii, Bessette, and Perkins in order to control client search.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chongshan Chen whose telephone number is (703) 305-8319. The examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (703)305-4393. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

CC
November 18, 2002

KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100